

## **MINUTES OF PUBLIC MEETING**

Arizona Game and Fish Commission  
Appointment Recommendation Board  
5000 W. Carefree Highway  
Phoenix, AZ 85086

### **PRESENT:** (Board Members)

Phillip D. Townsend, Chair  
Susan E. Chilton  
W. Hays Gilstrap

**MONDAY, NOVEMBER 5, 2012**

(Directors Staff)

Linda Pollock, Assistant Attorney General

Chairman, Phil Townsend called the meeting to order at 9:00 a.m. and led those present through the Pledge of Allegiance. This meeting followed an agenda dated October 26, 2012.

### **1. Welcome and Introductions of the Arizona Game and Fish Commission Appointment Recommendation Board.**

The Board members introduced themselves: Sue Chilton of Arivaca, Arizona, Hays Gilstrap of Phoenix, (call in) and Phil Townsend of Yuma.

The staff present introduced themselves: Susie Ruppel, Secretary to the Board; Linda Pollock, Assistant Attorney General; Gary Hovatter, Deputy Director of the Arizona Game and Fish Department.

Henry Scutoski of ASRPA Research, Sandy Bahr Director of the Sierra Club's Grand Canyon Chapter, and Steve Clark were in the audience.

### **2. Nomination and Selection of Chairperson**

**MOTION:** Sue Chilton moved and Hays Gilstrap seconded THAT THE BOARD NOMINATE THE CURRENT CHAIRPERSON PHILLIP TOWNSEND

**VOTE:** Unanimous

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### **3. Overview of the Role and Conduct of Boards and Commissions under Arizona Law**

**Presenter:** Linda Pollock, Assistant Attorney General

Assistant Attorney General, Linda Pollock briefed the Board that they are subject to the Open Meetings Law and the Public Records Law. Linda Pollock stated the Board is subject to the Open Meetings Law and their discussions, deliberations, and vote for the next commission member must be in front of the public and in a public session. As the Board knows communicating their thoughts or proposing legal actions by technological devices is discouraged. That would even include a one way communication by a board member to the others that may

lead to a legal action. Linda Pollock also recommended the Board avoid discussing the merits of the candidates through phones, fax, and email under all circumstances. The Board is also subject to the Public Records Law, and notes taken by the Board members during deliberation are also considered public records. At the end of the meeting the Board members should give any notes from the meetings to the secretary as they did last year.

Susan Chilton had two questions to ask the Assistant Attorney General, Linda Pollock. First question is regarding the eligibility of an applicant that is from a county that is currently represented by a commissioner. Linda Pollock responded by reading the statute A.R.S 17-201 to the Board which states no two members may be residents of the same county. She also said currently Mr. Mansell is a resident of Winslow, Arizona which is in Navajo County and that the applicant Mr. Canyon is a resident of the Navajo reservation in Navajo County. Therefore, under the law Mr. Canyon is not eligible to apply for the Commission this year or as long as Mr. Mansell serves. Susan Chilton had another question about an applicant that is not registered to vote. Linda Pollock responded by saying that Ms. Ruppel the Boards' secretary put that question to the Governor's office and the advice she received was that this applicant is not foreclosed from applying and therefore, the Board will consider him.

Chairman, Mr. Townsend asked if the applicant is registered to vote or just did not declare party affiliation. Ms. Ruppel, the Board Secretary confirmed with Linda Pollock that he is not registered to vote.

Hays Gilstrap asked Linda Pollock if he should mail in his notes. She explained that he should preserve the notes and bring them with him the next Board meeting.

Chairman, Mr. Townsend asked Linda Pollock if he could make a CALL TO THE PUBLIC in case there is anyone that would like to speak and address during the call to the public. Linda agreed. There were no responses from the public.

#### **4. Discussion and Deliberation of Board Process and Procedures, Including the Process for Evaluating Applicants.**

Susan Chilton explained having served two prior years on the Board she was well aware of the procedures the Board followed in the last two years when there were a larger number of applicants. This year since one is not eligible there are only six applicants. The procedures the Board followed in the past would not necessarily result in the statutory requirement of handing two names to the Governor. If the Board did any elimination procedure they might wind up with one instead of two or three. She would like to consider an alternative process that would work with the small number of applicants that the Board has this year and give a fair hearing to those the Board would want to have proceed.

She explains there are six applicants who are eligible according to the Attorney General and half of six is three. At the first meeting the Board could eliminate down to three or they could keep two-thirds which would be four depending on whether there is support for hearing an interview from four people from our membership. If we decide to go with the three she suggested that the Board consider giving three points to each member to allocate at the rate of no more than one to a candidate that would be their three individuals that they wanted to have brought in for an

interview. After we tabulate those points we may see a 1, 2, or 3 break or we might see 1, 2 and then a tie for 3<sup>rd</sup> place. If we have a tie for 3<sup>rd</sup> place she would suggest that we go ahead and invite all four individuals to the interview. Sue Chilton explained she would be open to suggestions that the Board look for four in the first place because of the small number as this is a suggestion for consideration and would like the observations of the Chairman Mr. Townsend and Mr. Gilstrap.

Chairman, Townsend asked Hays Gilstrap do you have any opinions or thoughts on this process. Hays explained to identify those persons that we think are most eligible to interview the best way to do that is with a number grading. He said he is willing to just identify those the Board would like to do an interview or do a weighted average.

Ms. Chilton explained what she would like to avoid is indicating to our interview candidates ahead of time that one of them is way ahead of others. She said she would like to have them all feel they are coming to the interview more or less on a similar footing. If the Board has a lop-sided vote #1 and #2 and gets the vast majority of the points and #3 is quite distant, #3 will figure it is all over and not even bother to show up. So in the interest of the Board having a chance to actually hear from at least three and possibly four, that's why she did not suggest the Board's distributing points with 2 for 1 and 1 for another, in order to try to avoid a heavy weighting of preference on this first overview.

Susan Chilton asked the Board how they feel about this procedure. Gilstrap, apologized to Susan Chilton and explained to the Board, he misunderstood the utilization of the 3 points, he totally agrees that the Board should bring them in on an even footing.

Chairman Townsend asked Chilton if she wanted to put this into a form of a motion.

**MOTION:** Susan Chilton moved and Chairman Townsend seconded THIS WILL BE THE PROCEDURE THE BOARD WILL USE as follows: Each of the Board will be allocated 3 points to distribute equally among 3 persons who they would like to see in the final interview on next Tuesday. If there is a clear break so that the three applicants have more points then person #4 has clearly fewer points then the Board invite the 3 persons. If for the 3<sup>rd</sup> position it's either a tie or like a one vote difference, Susan Chilton suggest the Board invite 4.

**VOTE:** Unanimous

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## **5. Review and Selection of Applicants for Interview.**

**Presenter:** Chairman Phil Townsend

Terry Ashcraft

Brian Boling

Julie Bradley (Chilton, Gilstrap, Townsend)

Tommy Canyon (Not Eligible)

Alvin Kamin (Chilton, Townsend)

Edward Madden (Chilton, Gilstrap, Townsend)

Luis Miranda

Chairman Townsend explained that by his tabulation the Board has selected three invitees for interviews. They would be Julie Bradley (3) votes, Alvin Kamin (2) votes, and Edward Madden (3) votes. He asked if this was acceptable and the Board agreed. Chairman Townsend asked for a motion that those three be forwarded for interview.

**MOTION:** Chilton moved and Gilstrap seconded THAT WE CALL FOR INTERVIEW JULIE BRADLEY, ALVIN KAMIN AND EDWARD MADDEN

**VOTE:** Unanimous

Chairman Townsend invites the selected Candidates next Tuesday, November 13, 2012.

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## **6. Future Meeting Schedule and Locations.**

The next meeting will be held at the Arizona Game and Fish Department on Tuesday, November 13, 2012 at 9:00 a.m. at the Arizona Game and Fish Department, 5000 West Carefree Highway, Phoenix, AZ 85086.

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## **7. Future Agenda Items.**

Susan Chilton suggested that the Board invite the 3 candidates for an hour a piece. The presentation would be 45 minutes and then the Board would have 15 minutes between each candidate to discuss and make notes and ask more questions if they need to. She said the Board may want to begin interviewing at 9:30 a.m. which would give the Board the first half hour to discuss business and approve the minutes.

Chairman Townsend explained that an hour interview is a long interview and the Board will be taking 45 minutes with 15 minutes in between means the Board won't need further time. Susan stated that this is what the Board did last year. Chairman Townsend agreed it would be okay with him and asked Hays Gilstrap what he thought. Hays Gilstrap said he agrees that 45 minutes between each candidate would be enough time and he would rather go ahead and have one candidate after another with the Board's deliberation time in between and not worry about taking a lunch or break.

Chairman Townsend stated the inconvenience of breaking for lunch would be for the staff and asked if that would be a problem.

Susan Chilton said let's reconfigure this and maybe the Board can finish approval by 9:15 a.m. Chairperson Townsend asked what else is on the agenda to do for the meeting. He explained the Board will need time to discuss the questions prior to the interviews. Susan Chilton agreed and

said the first interview could start at 9:30 a.m. to 10:15 a.m., second interview at 10:15 a.m. to 11:00 a.m., and the third interview at 11:00 a.m. to 11:45 a.m. Then the Board can have deliberations and vote.

**MOTION:** Susan Chilton moved and Hays Gilstrap seconded TO SCHEDULE THE INTERVIEWS TO BEGIN AT 9:30 A.M. AND HAVE THEM AT 45 MINUTES EACH AND THEN IMMEDIATELY GO INTO DELIBERATIONS.

**VOTE:** Unanimous

**Chairman Townsend said to make sure that the agenda allow some time to deliberate on the questions to be asked and hopefully all the Board will come with a list of questions and determine which questions to ask.**

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The meeting adjourned at 9:25 a.m.

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Phillip D. Townsend, Chair

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W. Hays Gilstrap

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Susan E. Chilton

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Don Johnson

**\*These minutes were approved telephonically on January 22, 2013\*\***